

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Civil Action No.: 21-10867

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DANTE A. DIFRONZO,  
Plaintiff,

VS.

CITY OF SOMERVILLE,  
MAYOR JOSEPH CURTATONE,  
CHIEF DAVID FALLON, and  
CAPTAIN BERNARD COTTER  
Defendants.

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**DEFENDANTS' NOTICE OF REMOVAL**  
**OF ACTION FROM STATE COURT**

Pursuant to 28 U.S.C. §1441(c) and 1446 the Defendants' petition for removal of this action to the United States District Court for the District of Massachusetts. As grounds therefore, the Defendants' state as follows:

1. On or about March 26, 2021, the Plaintiff filed this suit in the Middlesex Superior Court, Civil Action No. 2181CV00679.
2. On or about May 11, 2021, the Plaintiff's complaint was served upon the Defendant, City Of Somerville. Attached as Exhibit A is a copy of the Plaintiff's Complaint and summons, which was served upon the Defendants.
3. In the complaint, the Plaintiff alleges Federal Civil Rights Violations pursuant to 42 U.S.C. Section 1983.
4. Because this matter is an action arising under federal law of which this Court has original jurisdiction, as authorized by 28 U.S.C. §1331, it is subject to removal under 28 U.S.C. §1441(c).

5. This Notice of Removal is being filed within the time period required by law,  
28 U.S.C. §1446(b).

Respectfully submitted,  
The Defendants,  
By their attorneys,

/s/ Michael Stefanilo, Jr.  
Leonard H. Kesten, BBO# 542042  
Michael Stefanilo, Jr., BBO# 684500  
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Dated: 5/25/21

**CERTIFICATE OF SERVICE**

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent this day to those participants indicated as non-registered participants.

/s/ Michael Stefanilo, Jr.  
Michael Stefanilo, Jr., BBO #684500

Dated: 5/25/21